

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA, ex rel.
MARY PATZER; PETER CIMMA,

Plaintiff,

v.

SIKORSKY AIRCRAFT CORPORATION,
SIKORSKY SUPPORT SERVICES, INC., and
DERCO AEROSPACE, INC.

Case Nos. 11-cv-0560-LA
14-cv-1381-LA

Defendants.

**ORDER REGARDING WORK-PRODUCT MATERIALSPREVIOUSLY
FILED IN ECF #90 AND ECF #90-3**

Upon consideration of the United States' Assented to Motion to Seal Work-Product Materials Previously Filed in ECF # 90 and ECF #90-3 and for Other Relief, the Court hereby finds:

Exhibit #3 (ECF #90-3) is government work-product. Because the government and relator Cimma are covered by a joint prosecution or common interest privilege, the work-product protection of Exhibit #3 was not lost when government counsel shared Exhibit #3 with counsel for relator Cimma. Moreover, because counsel for relator Cimma did not seek or obtain approval from the government to disclose Exhibit #3, the filing of Exhibit #3 on the public docket did not effect a waiver of the government's privilege. Accordingly, it is hereby ORDERED:

1. The Clerk of the Court is ORDERED to remove ECF #90 and ECF #90-3 from the public docket and to place these materials under seal.
2. Relator Cimma is ORDERED to refile ECF #90 without reference to or reliance on Exhibit #3 within 2 business days of this order. The deadline for defendant's response to

the relator Cimma's filing, if any, shall be calculated from receipt of the revised filing by relator Cimma's counsel.

3. The defendants and their respective counsel are ORDERED to permanently delete and/or destroy any copies of ECF #90 and ECF #90-3 in their possession, custody or control and are further ORDERED to refrain from referencing, referring or relying on those documents in any way, including without limitation, in any motion, opposition, deposition, or in any discovery request.

SO ORDERED at Milwaukee, Wisconsin, this 19th day of March 2018.

s/Lynn Adelman

LYNN ADELMAN

U.S. District Judge